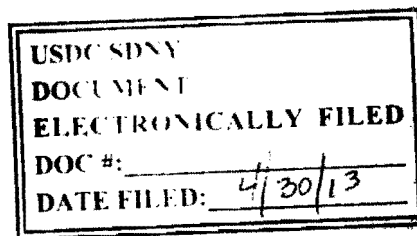


Engelmayer, P.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

GUAVA, LLC, : Civil Action No. 13-CV-00940
Plaintiff, :
v. :
JOHN DOE :
Defendant. :



NOTICE OF VOLUNTARY DISMISSAL OF ACTION WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure

41(a)(1), Plaintiff voluntarily dismisses this action in its entirety without prejudice.

In accordance with Federal Rule of Civil Procedure 41(a)(1), the defendant in this case has neither filed an answer to Plaintiff's Complaint, nor any other responsive pleading. Therefore, respectfully, Dismissal under Federal Rule of Civil Procedure 41(a)(1) is therefore appropriate.

Plaintiff prays that the Court enter a judgment reflecting the above.

Respectfully Submitted,

Plaintiff,
By its attorneys,

DATED: April 26, 2013

By: /s/ Daniel G. Ruggiero

Daniel G. Ruggiero, Esq.
P.O. Box 291
Canton, MA 02021
Telephone: (339) 237-0343
Fax: (339) 707-2808

Attorney for Plaintiff

SO ORDERED:

4/29/13 Paul A. Gugelberg
U.S.D.J. *jm*